

## **REMARKS**

Claims 1-5, and 7-10 are pending in this application with claims 1, 4, 5, and 9 and 10 amended herein. No new matter has been added by this amendment.

In the office action the Examiner rejects claims 1-5, 7, 8 and 10 under 35 U.S.C. § 102(a) as anticipated by Pan et al. Claim 9 is rejected under 35 U.S.C. § 103(a) as unpatentable over Pan in view of Ashwood-Smith et al.

In looking at the rejection of independent claims 1, 4, 5, and 10, it is respectfully submitted that the relied upon portions of Pan teach either of the two elements of the broad claims.

First, it does not appear that Pan teaches retaining session data. Session data, according to the present invention is defined to include link mapping data and the LSP mapping data, all of which are stored. The relied upon portions of Pan, section 4.1, does not teach storage of such data and therefore does not teach retention of session data, as that term is defined in the instant specification.

Moreover, in section 4, par.2, as best understood, Pan teaches reserving the predetermined bandwidth by passing the flowspec messages between the routers. However, the claim 1, as amended recites, retaining session data (information) including bandwidth ensured by reserved sessions which have respectively completed a reservation of a requested bandwidth and bandwidth occupied by an on-communication session.

Next, with respect to the reallocation element of the instant claims, it is respectfully submitted that this too is not found in the relied upon portions of Pan. In section 2.3, Pan discloses that if R is equal to L( $R=L$ ), the full reservation is executed, if R is not equal to L, the partial reservation is executed. That is, the partial reservation of Pan is method partially keeping the reservation even if the set of network links are not sufficient. However, as amended in claim 1, the features of the present invention are different from the partial reservation of Pan. Claim 1 recites execution of periodical re-allocation of each of paths employed by each of the reserved

sessions with respect to the bandwidth ensured by the reserved sessions which have respectively completed a reservation of a requested bandwidth.

Similarly, and still further, independent claims 4, 5, and 10 recite execution of periodical re-allocation of each of the reservation paths which has been already set based on the bandwidth which have been already set except bandwidth occupied by an on-communication session.

Accordingly, it is submitted that the relied upon portions of Pan fail to teach each and every element of claims 1, 4, 5, and 10 and as these features are also not taught by the relied upon portions of Ashwood-Smith, these claims are allowable. Claims 2, 3, and 7-9 which depend from one of these allowable base claims are allowable therewith.

### Conclusion

In view of the remarks and amendments set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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